

REMARKS

Claims 1-24 are pending. Claims 1, 7, 13, 20, 22 and 24 are amended herein.

No new matter is added as a result of the claim amendments. Support for the claim amendments can be found at least on page 9, lines 1-4, of the instant application.

102(b) Rejections

The instant Office Action states that Claims 1-24 are rejected under 35 U.S.C. § 102(b) as being anticipated by Hundt, “HP Caliper – An Architecture for Performance Analysis Tools.” (Applicants respectfully note that the reference is dated August 2000 in the Office Action, while the reference itself carries a date of October 2000.)

The Applicants have reviewed the cited reference and respectfully submit that the present invention as recited in Claims 1-24 is not anticipated nor rendered obvious by Hundt.

The version of “HP Caliper” described in the Hundt reference is a performance analysis tool for binary executables (see at least the second page of that reference, starting at about line 12). As described in the background section of the instant application (page 2, lines 5-8), a shortcoming of conventional performance analysis tools such as that described by the Hundt reference is that “even if the programmer specifies in the source code that a certain function be inlined, that does not necessarily mean that the particular function will ultimately be inlined in the binary executable by the compiler.”

As a performance analysis tool for binary executables, the particular version of “HP Caliper” described in the Hundt reference shares that shortcoming, and it is an object of the present claimed invention to address that shortcoming.

As such, Applicants respectfully submit that Hundt does not show or suggest “identifying an inlined function in source code for a binary executable; [and] inserting a breakpoint at the start of said inlined function in said binary executable” as recited in independent Claims 1, 7 and 13 (emphasis added).

Therefore, Applicants respectfully submit that the present claimed invention as recited in independent Claims 1, 7 and 13 is not shown or suggested by Hundt. Accordingly, Applicants respectfully submit that the basis for rejecting Claims 1, 7 and 13 under 35 U.S.C. § 102(b) is traversed, and that these claims are in condition for allowance.

As such, Applicants respectfully submit that the basis for rejecting Claims 2-6, 8-12 and 14-24 under 35 U.S.C. § 102(b) is also traversed, as these claims are dependent on allowable base claims and contain additional limitations that are patentably distinguishable over Hundt.

Conclusions

In light of the above remarks, Applicants respectfully request reconsideration of the rejected claims.

Based on the arguments presented above, Applicants respectfully assert that Claims 1-24 overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

WAGNER, MURABITO & HAO LLP

Date: 2/28/05


John P. Wagner, Jr.
Reg. No. 35,398

Two North Market Street
Third Floor
San Jose, California 95113
(408) 938-9060

Watsonville Address:
Westridge Business Park
123 Westridge Drive
Watsonville, California 95076